JAN 3 1899
JAMES H. MCKENNEY
Clerk

Motion to advance

Filed Jan. 3, 1899.

# In the Supreme Court of the United States.

OCTOBER TERM, 1898.

DAVID BROWN,
*Appellant,*
*v.*
CORNELIUS N. BLISS,
*Secretary of the Interior.*
No. 581.

MOTION TO ADVANCE.

CHARLES A. KEIGWIN,
*Solicitor for Appellant.*

W. B. TREADWELL,
*Of Counsel.*

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## MOTION TO ADVANCE.

Now comes the appellant in the above entitled cause, and respectfully moves the Court to advance the said cause and to set down the same for hearing at an earlier date than that heretofore fixed.

This case has already, on December 19, 1898, been advanced and is now set for hearing on February 20, 1899. Since that action was taken, it has been announced that the appellee, who is sued in his character as Secretary of the Interior, will retire from office in the latter part of January or early in February, 1899.

As stated in the former motion to advance, the question involved relates to the powers of the Secretary of the Interior in the execution of the swamp land grants, and, by reason of its affecting numerous claims under the said grants, is of great public concern.

The particular ground upon which advancement was before prayed was the liability of the suit to abate in the event of the appellee's retirement from office, and the fact that in such event the opportunity to obtain an adjudication of the important questions involved would be lost.

It is submitted that the same considerations which were held to warrant advancement upon the former motion afford ground for further advancement, and it is prayed that the case be set for hearing on some day prior to the appellee's retirement from office.

CHARLES A. KEIGWIN,
*Solicitor for Appellant.*

W. B. TREADWELL,
*Of Counsel.*

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*December 28, 1898.*

I accept service of the above motion and do not ~~approve~~ ~~approved~~ the granting of it.

J. K. RICHARDS.
*Solicitor-General.*